

<div>Attorney or Party Name, Address, Telephone &amp; FAX Nos., State Bar No. &amp; Email Address</div>		<div>FOR COURT USE ONLY</div>	
<div><div><input type="checkbox"/> <i>Attorney for Debtor(s)</i></div><div><input type="checkbox"/> <i>Debtor(s) appearing without attorney</i></div></div>			
<div>UNITED STATES BANKRUPTCY COURT</div> <div>CENTRAL DISTRICT OF CALIFORNIA - _____ DIVISION</div>			
<div>In re:</div>		<div>CASE NO.:</div>	
		<div>CHAPTER:</div>	
		<div>ORDER ON MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (REAL PROPERTY)</div>	
<div>Debtor(s).</div>		<div>[No hearing required]</div>	

**Creditor Name:** \_\_\_\_\_  
(Insert name of creditor holding lien to be avoided)

Pursuant to 11 U.S.C. § 522(f) and LBR 9013-1(o), Debtor(s) moved to avoid a judicial lien on real property claimed to be exempt. THE COURT FINDS AND ORDERS AS FOLLOWS:

1. Notice of this motion complied with LBR 9013-1(o).
2. **Hearing Information:**
- a. ☐ No hearing is required: Debtor(s) has filed a declaration (F 9013-1.9) stating that no opposition was timely received.
- b. ☐ A timely objection was received and a hearing was held as follows:
- (1) Date:\_\_\_\_\_ (2) Time:\_\_\_\_\_ (3) Courtroom:\_\_\_\_\_ (4) Judge: \_\_\_\_\_
- (5) The matter was ☐ Contested ☐ Uncontested ☐ Settled by Stipulation ☐ Not Prosecuted
- (6) ☐ Debtor(s) present in court (*Name*): \_\_\_\_\_
- (7) ☐ Attorney for Debtor(s) present in court (*Name*): \_\_\_\_\_
- (8) ☐ Attorney for Lienholder present in court (*Name*): \_\_\_\_\_
- (9) ☐ Other parties present as reflected in the court record

3. The real property to which this Order applies is as follows:
- a. Street Address (*specify*): \_\_\_\_\_
  - b. Legal Description (*specify*): \_\_\_\_\_ ☐ See Attached Page
4. Recording information regarding lien to be avoided:
- a. Date of recordation of lien (*specify*): \_\_\_\_\_
  - b. Recorder's instrument number or map/book/page number (*specify*): \_\_\_\_\_
5. ☐ Motion granted:
- a. ☐ The judicial lien sought to be avoided impairs an exemption to which Debtor(s) would otherwise be entitled under 11 U.S.C. § 522(d)
  - b. ☐ The judicial lien is hereby declared void and unenforceable:
    - (1) ☐ In its entirety
    - (2) ☐ In the following amount *only*: \$ \_\_\_\_\_. The balance of \$ \_\_\_\_\_ remains a valid and enforceable lien against the property.
6. ☐ Motion denied on the following grounds: ☐ With prejudice ☐ Without prejudice
- a. ☐ Insufficient notice
  - b. ☐ Insufficient evidence of the exempt status of the property in question
  - c. ☐ Other (*specify*): \_\_\_\_\_
7. ☐ The court further orders as follows (*specify*): \_\_\_\_\_ ☐ See Attached Page

DATED: \_\_\_\_\_

\_\_\_\_\_  
United States Bankruptcy Judge

## PROOF OF SERVICE OF DOCUMENT

I am over the age of 18 and not a party to this bankruptcy case or adversary proceeding. My business address is:

A true and correct copy of the foregoing document described as **ORDER ON MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (REAL PROPERTY)** will be served or was served **(a)** on the judge in chambers in the form and manner required by LBR 5005-2(d); and **(b)** in the manner indicated below:

**I. TO BE SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s) ("LBR"), the foregoing document will be served by the court via NEF and hyperlink to the document. On \_\_\_\_\_, I checked the CM/ECF docket for this bankruptcy case or adversary proceeding and determined that the following person(s) are on the Electronic Mail Notice List to receive NEF transmission at the email address(es) indicated below:

☐ Service information continued on attached page

**II. SERVED BY U.S. MAIL OR OVERNIGHT MAIL**(indicate method for each person or entity served):

On \_\_\_\_\_, I served the following person(s) and/or entity(ies) at the last known address(es) in this bankruptcy case or adversary proceeding by placing a true and correct copy thereof in a sealed envelope in the United States Mail, first class, postage prepaid, and/or with an overnight mail service addressed as follows. Listing the judge here constitutes a declaration that mailing to the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

**III. SERVED BY PERSONAL DELIVERY, FACSIMILE TRANSMISSION OR EMAIL** (indicate method for each person or entity served): Pursuant to F.R.Civ.P. 5 and/or controlling LBR, on \_\_\_\_\_, I served the following person(s) and/or entity(ies) by personal delivery, or (for those who consented in writing to such service method), by facsimile transmission and/or email as follows. Listing the judge here constitutes a declaration that personal delivery on the judge will be completed no later than 24 hours after the document is filed.

☐ Service information continued on attached page

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

\_\_\_\_\_  
Date

\_\_\_\_\_  
Type Name

\_\_\_\_\_  
Signature

## NOTICE OF ENTERED ORDER AND SERVICE LIST

Notice is given by the court that a judgment or order entitled (*specify*) **ORDER ON MOTION TO AVOID LIEN UNDER 11 U.S.C. § 522(f) (REAL PROPERTY)** was entered on the date indicated as "Entered" on the first page of this judgment or order and will be served in the manner indicated below:

**I. SERVED BY THE COURT VIA NOTICE OF ELECTRONIC FILING ("NEF")** – Pursuant to controlling General Order(s) and Local Bankruptcy Rule(s), the foregoing document was served on the following person(s) by the court via NEF and hyperlink to the judgment or order. As of \_\_\_\_\_, the following person(s) are currently on the Electronic Mail Notice List for this bankruptcy case or adversary proceeding to receive NEF transmission at the email address(es) indicated below.

☐ Service information continued on attached page

**II. SERVED BY THE COURT VIA U.S. MAIL:** A copy of this notice and a true copy of this judgment or order was sent by United States Mail, first class, postage prepaid, to the following person(s) and/or entity(ies) at the address(es) indicated below:

☐ Service information continued on attached page

**III. TO BE SERVED BY THE LODGING PARTY:** Within 72 hours after receipt of a copy of this judgment or order which bears an "Entered" stamp, the party lodging the judgment or order will serve a complete copy bearing an "Entered" stamp by U.S. Mail, overnight mail, facsimile transmission or email and file a proof of service of the entered order on the following person(s) and/or entity(ies) at the address(es), facsimile transmission number(s), and/or email address(es) indicated below:

☐ Service information continued on attached page